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SUBJECT: WITH MERIDA HELP, MEXICAN CUSTOMS CLEANS HOUSE

¶1. (SBU) Summary. On August 15 the Government of Mexico announced that Mexican Customs (Aduanas) would not renew the expiring contract of its Fiscales (the armed enforcement element of Aduanas). Backed by a temporary deployment of Mexican military personnel, 722 members of the Fiscales (the entire armed work force) were relieved of their responsibilities and replaced by 1400 newly trained Aduanas agents. While the transition appears sudden, Aduanas had worked closely with the U.S. to train, vet, and polygraph a corps of replacement agents using Merida Initiative funding. End Summary.

#### Impetus for Change

¶2. (SBU) Aduanas began 16 weeks of training for the 1400 new customs agents on 11 May 2009. The GOM hired these recruits for the specific purpose of assuming law enforcement duties at all ports of entry (POEs). Prior to the August 15 announcement, Fiscales working at 49 POEs provided armed enforcement for inspections at border entry points. As a semi-autonomous law enforcement entity contracted by Aduanas, Fiscales had at one time been the highest paid officers in Aduanas. However, a dated and inflexible legal and contractual framework led to a sustained erosion of salaries and benefits. Aduanas was unsuccessful in seeking legislative authority to upgrade salaries and impose higher standards on the Fiscales and Aduanas management was concerned that an increasing number of Fiscales were succumbing to the temptation of padding their wages through cooperation with a variety of criminal enterprises. The expiration of the Fiscales current six month contract on evening of 15 August offered the opportunity the organization needed to establish a competent, honest, untainted law enforcement element responsible solely to the GOM.

¶3. (SBU) Under the coordination provided by an Aduanas command center in Mexico City, the transition was swift and decisive. Mexican Customs Service Port Directors formally relieved the existing Fiscales work force of its duties and replaced it with newly trained Aduanas agents. Mexican Port Directors also called their CBP counterparts to inform them of the change. The GOM tasked SEDENA to deploy soldiers to provide security during the transition at each of the 19 border POEs and also positioned forces at the remaining 30 inland POEs. Army troops prevented violence during the changeover and relieved the dismissed Fiscales of their weapons for proper storage and accountability. (Note: These

deployments are expected to end the week of August 17-21. However, soldiers who have been providing perimeter security at the 19 border POEs for the past year will remain at their posts after the transition period. End note.)

¶4. (SBU) The GOM insists that the Fiscales were not fired, and can apply for work on the new force if they meet the new higher recruitment standards. However, 71% of the 1400 newly trained Aduanas agents are university educated; the new agents passed extensive background and polygraph exams, and received training in the use of the new non-intrusive inspection devices. It will be difficult for the dismissed Fiscales to meet these new requirements. The GOM expects many of the Fiscales will legally challenge their removal. In fact, one has already publicly signaled that he will sue the government to return to his job.

#### New Structure

¶5. (SBU) The new terms of employment are significantly different. The new armed Aduanas agents have pay and benefits parity with other customs officials, and their salaries will adjust according to uniform Aduanas standards. Each agent added to the force will undergo a full vetting process before being hired, which includes a financial investigation and polygraph testing that is now standard for federal GOM law enforcement hires. There will be periodic reviews and annual polygraphs for all agents. Aduanas leadership hopes that, by raising pay commensurate with responsibility and providing effective oversight of its armed enforcement force, it can instill institutional loyalty and limit corruption.

#### Merida Funding Provides Foundation for Change E

¶6. (SBU) Merida Initiative (MI) funds, were instrumental to this radical institutional overhaul of the Mexican Customs Service. Our funding underwrote the GOM polygraph program that vetted the new hires. It will continue to support periodic polygraph updates, within Aduanas, contributing to a more trustworthy force. MI funds purchased the non-intrusive inspection equipment on which the new agents were trained before they assumed their duties on August 15. With Merida funding, Aduanas will soon take the next step and vet all Port Security Directors. In broader terms, the Merida Initiative has encouraged the development of federal policing standards and practices to which the new Aduanas agents will be held.

¶7. (SBU) Comment: The Merida Initiative framework provided the GOM the resources it needed to identify the problem, commence a concerted vetting and training program, and ensure a smooth transition. While not unique to Aduanas, the strategic approach adopted by the GOM in curbing corruption within the organization provides a good model for the success of other institutional transitions. CBP will work closely with the new Aduanas officers to ensure continued cooperation during the transition. End Comment.

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